

## II. CLAIM AMENDMENTS

### 1. (Previously Presented) A mobile terminal (MS) comprising

transceiving means (TAF, 93) for communicating data with a mobile network element (IWF) using a bearer that is modifiable by a negotiation between the mobile terminal (MS) and the mobile network element (IWF), said data being divided into data units (60), wherein each data unit comprises at least one user data element (61) and at least one status data element (62), said status data element (62), said status data element comprising a status indication (63) from the mobile network element (IWF) to the mobile terminal (MS);

wherein said mobile terminal (MS) further comprises

detecting means (96) for detecting a need for bearer modification from received status indications (63) in at least two consecutive data units; and

control means (91) for initiating a negotiation for bearer modification, as a response to the detected need for bearer modification.

2. (Original) A mobile terminal as claimed in claim 1, wherein the transceiving means (TAF, 93) is arranged to transceive data units (60) in information fields (52) of frames (50) transmitted over the air interface.

3. (Original) A mobile terminal as claimed in claim 2, wherein the frames (50) are transmitted over the air interface in consecutive TDMA data frames, and the bearer modification comprises modification of the amount of time slots in

consecutive TDMA frames assigned for the transmission between the mobile terminal (MS) and the mobile network element (IWF).

4. (Original) A mobile terminal as claimed in claim 3, wherein the bearer modification either of the following: bearer upgrading and bearer downgrading.

5. (Original) A mobile terminal as claimed in claim 1, wherein the mobile terminal is a GSM terminal supporting HSCSD service and the mobile network element being the Inter-Working Function (IWF) of the Mobile Switching Center (MSC).

6. (Original) A mobile terminal as claimed in claim 1, wherein said status indication (53) comprises an indication (Flbit) of flow control, when the flow control is active in the mobile network element (IWF), and said detecting means (96) being responsive to said indication (Flbit) of flow control.

7. (Previously Presented) A mobile terminal as claimed in claim 6, wherein said detecting means (96) comprises a counter (CT) arranged to be incremented as a response to a data unit (60) that comprises said indication (Flbit) of flow control and is preceded by a data unit (60) that also comprises said indication (Flbit) of flow control.

8. (Original) A mobile terminal as claimed in claim 6, wherein the control means (91) is arranged to initiate a negotiation for bearer downgrading, as a response to the reading of the counter (CT) exceeding a predefined threshold (TH1).

9. (Original) A mobile terminal as claimed in claim 1, wherein the status indication (53) is an ending indication (Sbit) included in the data unit (60) whenever the data unit (60) is not full of data.

10. (Original) A mobile terminal as claimed in claim 1, wherein said means for detecting comprises at least one counter (SE) arranged to be incremented at least as a response to the data unit (60) comprising said ending indication (Sbit), and at least one timer (t).

11. (Currently Amended) A method for communicating with a mobile network element (IWF), comprising:

communicating data with a mobile network element (IWF) using a bearer that is modifiable by a negotiation between the mobile terminal (MS) and the mobile network element (IWF), said data being divided into data units (60), wherein each data unit comprises at least one user data element (61) and at least one status data element (62), said status data element (62) comprising a status indication (63) from the mobile network element (IWF) to the mobile terminal (MS);

wherein the method further comprises

detecting a need for bearer modification from received status indications (63) in at ~~least~~ least two consecutive data units; and

initiating a negotiation for bearer modification, as a response to the detected need for bearer modification.

12. (Currently Amended) A method of communication between a network element and a mobile terminal in a communication network comprising;

exchanging a plurality of data units between the network element and the mobile terminal, wherein at least one data

unit includes a status bit indicating that flow control in a data terminal equipment used to transmit the data unit is active or inactive;

analyzing the status bit; and

requesting a change in a data rate used to exchange the plurality of data units.

13. (Previously Presented) The method of communication of claim 12, wherein the plurality of data units are exchanged using a number of time slots, and the data rate is changed by changing the number of time slots.

14. (Previously Presented) The method of communication of claim 12, wherein the mobile terminal analyses the status bit and requests the change in data rate.

15. (Currently Amended) A communication network comprising;

a mobile terminal;

a network element for exchanging a plurality of data units with the mobile terminal;

circuitry for providing at least one data unit that includes a status bit indicating that flow control in a data terminal equipment used to transmit the data unit is active or inactive; and

circuitry for analyzing the status bit and for requesting a change in a data rate used to exchange the plurality of data units.

16. (Previously Presented) The communication network of claim 15, wherein the mobile terminal and the network element further

comprise circuitry for exchanging the plurality of data units using time slots, and wherein the data rate is changed by changing the number of time slots.

17. (Previously Presented) The communication network of claim 15, wherein the circuitry for providing at least one data unit that includes a status bit is part of the network element.

18. (Previously Presented) The communication network of claim 15, wherein the circuitry for analyzing the status bit and for requesting a change in a data rate is part of the mobile terminal.